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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,576	12/05/2003	Sheng-Ching Wu	PAT-1538	8921
7590	11/04/2005			
Raymond Sun 12420 Woodhall Way Tustin, CA 92782			EXAMINER FLORES RUIZ, DELMA R	
			ART UNIT	PAPER NUMBER
			2828	

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/728,576

Applicant(s)

WU ET AL.

Examiner

Delma R. Flores Ruiz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-17 is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/5/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

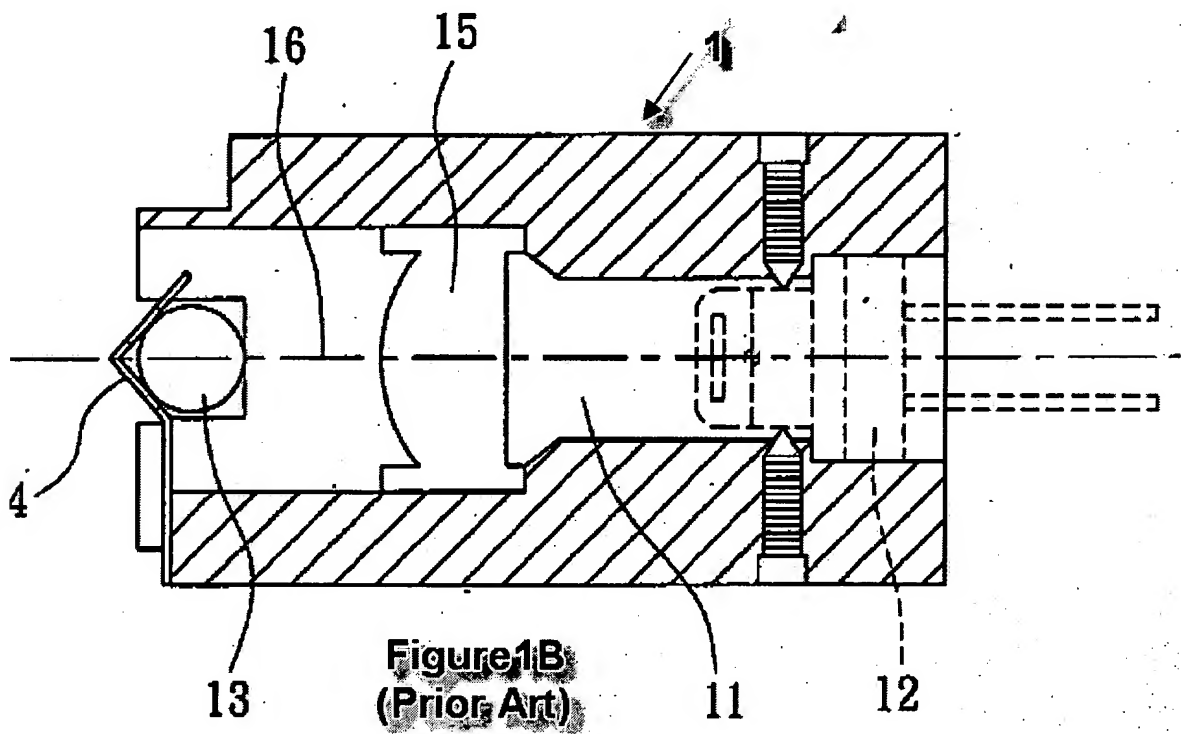
Claims 1, 2 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's admitted prior art as show in Figs. 1A and 1B.

Regarding claim 1, applicant disclose in Figs. 1A-B, a main body (having a hollow interior (11), a laser generator (12); a cylindrical lens (13) and an adjusting device (the applicant fails to disclose in the specification of the current application the laser module having an adjusting device. However, Figure 1B of the current application shows two screws in the laser module, which the examiner interprets as the claimed adjusting device for adjusting the angle of the laser generator with respect to the main body).

Regarding claim 2, applicant discloses in Figure 1B, a convex lens (15) positioned in the hollow interior between the cylindrical lens (13) and the laser generator (12).

Regarding claim 5, applicant discloses in Figure 1B, the angle of the first end is adjusted with respect to the remainder of the main body.

Disclose Figure 1B by Applicant's



Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art as show in Fig. 1 in view of Frady (5,283,694).

Regarding claim 3, Applicant's discloses the claimed invention except for adjusting device comprises a slot. However, it is well know in the art to combine the slot as discloses by Frady in claim 13. Therefore, it would have been obvious to a person having ordinary skill in the art to combine the well know slot as suggested by Frady to adjustable laser module of Applicant's because it will to secure adjustable section see Claim 13 of Frady.

Regarding claim 4, Applicant's discloses the claimed invention except for slot defines a space, the space of the slot when the at least one bolt is adjusted. However, it is well know in the art to combine the space of the slot when bolts is adjusted as discloses by Frady in Column 4, Lines 48 – 51. Therefore, it would have been obvious to a person having ordinary skill in the art to apply the well know slot defines a space, with the space of the slot when the at least one bolt is adjusted as suggested by Frady to the adjustable laser module of Applicant's, because it will be for adjustable movement see Column 4, Lines 48 - 51 of Frady.

Claims 6 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art as show in Fig.1A-B in view of Guo et al (5,381,438).

Regarding claims 6 and 7, Applicant's discloses in Figures 1A and 1B a main body (having a hollow interior (11), a laser generator (12); a cylindrical lens (13) a convex lens (15) positioned in the hollow interior between the cylindrical lens (13) and the laser generator (12).

Applicant's discloses the claimed invention except for adjusting device coupled to the second end and the lens for adjusting the angle of the lens with respect to the main body. However, it is well know in the art to combine the adjusting device coupled to the second end and the lens for adjusting the angle of the lens with respect to the main body as discloses by Guo in Abstract, Column 3, Lines 51 – 54. Therefore, it would have been obvious to a person having ordinary skill in the art to combine the well know adjusting device for adjusting the angle of the lens as suggested by Guo to the laser of Applicant's because it will driving the lens set to move to and fro within a through bore formed in the housing see Abstract of Guo.

Regarding claim 8, Applicant's discloses the claimed invention except for adjusting device comprises a slot. However, it is well know in the art to combine the adjusting device comprises a slot as discloses by Guo in Column 4, Lines 16 – 20. Therefore, it would have been obvious to a person having ordinary skill in the art to

apply the well know adjusting device comprises a slot as suggested by Guo to the laser of Applicant's, because it will to facilitates the screwing operation of the adjusting member see Column 4, Lines 16 – 20 of Gou.

Regarding claim 9, Applicant's discloses the claimed invention except for space of the slot when bolt is adjusted. However, it is well know in the art to apply the space of the slot when bolt is adjusted as discloses by Guo in Column 4, Lines 16 – 20. Therefore, it would have been obvious to a person having ordinary skill in the art to apply the well know slot defines a space, with the space of the slot when the at least one bolt is adjusted as suggested by Guo to the laser of Applicant's, because it will to facilitates the screwing operation of the adjusting member see Column 4, Lines 16 – 20 of Gou.

Regarding claim 10, Applicant's discloses the claimed invention except for the angle of the second end is adjusted with respect to the remainder of the main body. However, it is well know in the art to apply the the angle of the second end is adjusted with respect to the remainder of the main body as discloses by Guo in Column 4, Lines 50 – 54. Therefore, it would have been obvious to a person having ordinary skill in the art to apply the well know the angle of the second end is adjusted with respect to the remainder of the main body as suggested by Guo to the laser of Applicant's, because when the adjusting member is screwed in or out, the lens will be thrust to move along

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the light axis so as to adjust the light beam passing through the lens see Column 4, Lines 50 – 54 of Guo.

Allowable Subject Matter

Claims 11 – 17 are allowed.

The following is an examiner's statement of reasons for allowance: Claim 1 recites a adjustable laser module structure including the specific structure limitation of a *first adjusting device coupled to the first end and the laser generator for adjusting the angle of the laser generator with respect to the main body; and a second adjusting device coupled to the second end and the cylindrical lens for adjusting the angle of the cylindrical lens with respect to the main body* which is neither anticipated or disclosed nor suggested in any piece of available prior art, which is neither anticipated nor obvious over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Delma R. Flores Ruiz whose telephone number is (571) 272-1940. The examiner can normally be reached on M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Min Sun Harvey can be reached on (571) -272-1835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Delma R. Flores Ruiz
Examiner
Art Unit 2828
DRFR/MH
October 28, 2005


Min Sun Harvey
Supervisor Patent Examiner
Art Unit 2828